

DETAILED ACTION

1. Applicant's amendment and remarks, filed 2/22/09, are acknowledged.

Claim 1 has been amended.

Claims 1, 5-22, 26, and 28-37 are pending.

2. Upon reconsideration, the restriction requirement between groups I-V, drawn to scTCR comprising various specific amino acid substitutions, is withdrawn. Claims 20-22 are rejoined.

3. Claims 28-29, drawn to species of scTCR, are rejoined.

4. Claim 1 is directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(b), claims 33-35, directed to the process of using the allowable product, previously withdrawn from consideration as a result of a restriction requirement, is hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because a claimed invention previously withdrawn from consideration under 37 CFR 1.142 has been rejoined, **the restriction requirement between groups I-VIII as set forth in the Office action mailed on 1/10/2008 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

6. Authorization for this examiner's amendment was given after a telephone interview with Lisa Hemmendinger on 2/27/09.

IN THE CLAIMS:

7. In claim 1, line 19, "(amino acid residue 10 of SEQ ID NO:2)" has been inserted after "Thr 48 of exon 1 of TRAC*01", in line 20 "(amino acid residue 10 of SEQ ID NO:6)" has been inserted after "Ser 57 of exon 1 of TRBC1*01 or TRBC2*01", in line 22, "(amino acid residue 10 of SEQ ID NO:3)" has been inserted after "Thr 45 of exon 1 of TRAC*01", in line 23 "(amino acid residue 10 of SEQ ID NO:7)" has been inserted after "Ser 77 of exon 1 of TRBC1*01 or TRBC2*01", in line 25 "(amino acid residue 10 of SEQ ID NO:4)" has been inserted after "Tyr 10 of exon 1 of TRAC*01", in line 26 "(amino acid residue 10 of SEQ ID NO:8)" has been inserted after "Ser 17 of exon 1 of TRBC1*01 or TRBC2*01", in line 28 "(amino acid residue 10 of SEQ ID NO:3)" has been inserted after "Thr 45 of exon 1 of TRAC*01", in line 29 "(amino acid residue 10 of SEQ ID NO:9)" has been inserted after "Asp 59 of exon 1 of TRBC1*01 or TRBC2*01", in line 31 "(amino acid residue 10 of SEQ ID NO:5)" has been inserted after "Ser 15 of exon 1 of TRAC*01", and in line 32 "(amino acid residue 10 of SEQ ID NO:10)" has been inserted after "Glu 15 of exon 1 of TRBC1*01 or TRBC2*01".

8. In claim 1, lines 15, 21, 24, 27, and 30, "an" has been replaced with "a".

9. Claims 6 and 36-37 are cancelled.

10. In claim 18, line 4 "(amino acid residue 10 of SEQ ID NO:2)" has been inserted after "Thr 48 of exon 1 of TRAC*01", and in line 5 "(amino acid residue 10 of SEQ ID NO:6)" has been inserted after "Ser 57 of exon 1 of TRBC1*01 or TRBC2*01".

11. In claim 19, line 2 "(amino acid residue 10 of SEQ ID NO:3)" has been inserted after "Thr 45 of exon 1 of TRAC*01", and in line 3 "(amino acid residue 10 of SEQ ID NO:7)" has been inserted after "Ser 77 of exon 1 of TRBC1*01 or TRBC2*01".

12. In claim 20, line 2 "(amino acid residue 10 of SEQ ID NO:4)" has been inserted after "Tyr 10 of exon 1 of TRAC*01", and in line 3 "(amino acid residue 10 of SEQ ID NO:8)" has been inserted after "Ser 17 of exon 1 of TRBC1*01 or TRBC2*01".

13. In claim 21, line 2 "(amino acid residue 10 of SEQ ID NO:3)" has been inserted after "Thr 45 of exon 1 of TRAC*01" and

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in line 3 "(amino acid residue 10 of SEQ ID NO:9)" has been inserted after "Asp 59 of exon 1 of TRBC1*01 or TRBC2*01"

14. In claim 22, line 2 "(amino acid residue 10 of SEQ ID NO:5)" has been inserted after "Ser 15 of exon 1 of TRAC*01", and in line 3 "(amino acid residue 10 of SEQ ID NO:10)" has been inserted after "Glu 15 of exon 1 of TRBC1*01 or TRBC2*01".

15. In claim 31, line 1 "when" has been deleted.

16. In claim 34, line 2, "an" has been replaced with "a", and in line 4-5, "binding partner" has been deleted.

17. In claim 35, line 2, "an" has been replaced with "a", in line 4-5 "or scTCR ligand binding partner" has been deleted, and in line 6 "and/or the TCR ligand" has been deleted.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy E. Juedes, Ph.D. whose telephone number is 571-272-4471. The examiner can normally be reached on 8am - 5pm, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen O'Hara can be reached on 571-272-0878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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